

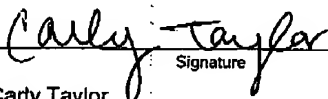
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CENTRAL FAX CENTER****DEC 03 2004**PTO/SB/97 (08-00)
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Application Number: 09/802,309

Filing Date: Mar 07, 2001

Certificate of Transmission under 37 CFR 1.8I hereby certify that this correspondence is being facsimile transmitted to the
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Carly Taylor
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1. Fee Transmittal
2. Response to the Office Action dated 11/2/04 (24 pages)

Total pages: 26
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MS1-327USC1*Please notify us immediately (509-324-9256) if
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PTO/SB/17 (10-04)

Approved for use through 07/31/2005. OMB 0851-0032
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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**FEE TRANSMITTAL
for FY 2005**

Effective 10/01/2004. Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27TOTAL AMOUNT OF PAYMENT (\$)**792.00****Complete if Known**

Application Number **09/802,309**
 Filing Date **3/7/2001**
 First Named Inventor **Murali R. Krishnan**
 Examiner Name **Pizarro, R.**
 Art Unit **2681**
 Attorney Docket No. **MS1-327USC1**

METHOD OF PAYMENT (check all that apply)
☐ Check ☐ Credit Card ☐ Money Order ☐ Other ☐ None
☒ Deposit Account

Deposit Account Number

12-0789

Deposit Account Name

Lee & Hayes, PLLC

The Director is authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☒ Credit any overpayments☒ Charge any additional fee(s) during the pendency of this application.☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.**FEE CALCULATION****1. BASIC FILING FEE**

Large Fee Code	Large Fee (\$)	Small Entity Fee Code	Small Entity Fee (\$)	Fee Description
1001	750	2001	395	Utility filing fee
1002	350	2002	175	Design filing fee
1003	550	2003	275	Plant filing fee
1004	790	2004	395	Reissue filing fee
1005	160	2005	80	Provisional filing fee

Fee Paid

SUBTOTAL (1)

0.00**2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE**

Total Claims	Extra Claims	Fee from below	Fee Paid
49	-56 = 0	x 18 = 0	
Indep. Claims	13 - 9 = 4	x 88 = 352	792

Multiple Dependent

Large Entity Small Entity

Fee Code Fee Code

1202 18 2202 9

1201 88 2201 44

1203 300 2203 150

1204 88 2204 44

1205 16 2205 9

Fee Description

Claims in excess of 20

Independent claims in excess of 3

Multiple dependent claim, if not paid

Reissue independent claims over original patent

Reissue claims in excess of 20 over original patent

SUBTOTAL (2) \$ **792.00**

*For number previously paid, if greater; For Reissues, see above.

FEE CALCULATION (continued)**3. ADDITIONAL FEES**

Large Entity Small Entity

Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description
1051	130	2051	66	Surcharge - late filing fee or oath
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet
1053	130	1053	130	Non-English specification
1812	2,520	1812	2,520	For filing a request for ex parte reexamination
1804	920*	1804	920*	Requesting publication of SIR prior to Examination action
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action
1251	110	2251	55	Extension for reply within first month
1252	430	2252	215	Extension for reply within second month
1253	980	2253	490	Extension for reply within third month
1254	1,530	2254	765	Extension for reply within fourth month
1255	2,080	2255	1,040	Extension for reply within fifth month
1401	340	2401	170	Notice of Appeal
1402	340	2402	170	Filing a brief in support of an appeal
1403	300	2403	150	Request for oral hearing
1451	1,510	1451	1,510	Petition to institute a public use proceeding
1482	110	2482	55	Petition to revive - unavoidable
1453	1,330	2483	665	Petition to revive - unintentional
1501	1,370	2501	685	Utility issue fee (or reissue)
1502	490	2502	245	Design issue fee
1503	660	2503	330	Plant issue fee
1480	130	1480	130	Petitions to the Commissioner
1807	50	1807	50	Processing fee under 37 CFR 1.17(q)
1806	180	1806	180	Submission of Information Disclosure Sheet
8021	40	8021	40	Recording each patent assignment per property (times number of properties)
1809	790	2809	395	Filing a submission after final rejection (37 CFR § 1.129(e))
1610	790	2810	395	For each additional invention to be examined (37 CFR § 1.128(b))
1801	790	2801	395	Request for Continued Examination (RCE)
1802	900	1802	900	Request for expedited examination of a design application.

Other fees (specify)

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$)

0.00**SUBMITTED BY****Complete (if applicable)**Name (Print/Type) **Alan T. Sponseller**

Registration No. (Attorney/Agent)

38318

Telephone

509-324-0758

Signature

ATS

Date

12/3/04

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DEC 03 2004

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application Serial No.09/802,309
 Filing Date3/7/01
 Inventor..... Murali R. Krishnan
 Group Art Unit2661
 ExaminerPizarro, Ricardo M.
 Attorney's Docket No.MS1-327USC1
 Confirmation No.....3155
 Title: Adaptive Bandwidth Throttling for Network Services

RESPONSE TO OFFICE ACTION DATED NOVEMBER 2, 2004

To: Commissioner for Patents
 PO Box 1450
 Alexandria, Virginia 22313-1450

From: Allan T. Sponseller (Tel. 509-324-9256 x215; Fax 509-323-8979)
 Lee & Hayes, PLLC
 421 W. Riverside Ave., Suite 500
 Spokane, WA 99201

Sir:

In response to the Office Action of November 2, 2004, in connection with the above-identified application, the following remarks are submitted. Favorable consideration is respectfully requested.

A detailed listing of the claims is provided below. A status identifier is provided for each claim in a parenthetical expression following each claim number.